

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

June 20, 2013

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

LINDSEY KENT SPRINGER,

Defendant - Appellant.

No. 13-5062
(D.C. No. 4:13-CV-00145-SPF-TLW)

ORDER

Before **KELLY, HARTZ**, and **O'BRIEN**, Circuit Judges.

Mr. Springer seeks to appeal from various orders issued by the district court in his pending § 2255 proceeding.

This court's appellate jurisdiction is generally limited to review of final decisions. *See* 28 U.S.C. § 1291 (courts of appeals have jurisdiction over appeals from final decisions of the district courts). A final decision under 28 U.S.C. § 1291 is one that terminates "all matters as to all parties and causes of action." *D & H Marketers, Inc. v. Freedom Oil and Gas, Inc.*, 744 F. 2d 1443, 1444 (10th Cir. 1984).

Based on a review of the file materials for this matter, and upon consideration of Mr. Springer's response to this court's May 16, 2013 jurisdictional show cause order, the court concludes that no final, appealable decision has been entered by the district court. The orders referenced in Mr. Springer's notice of appeal and amended notice of appeal

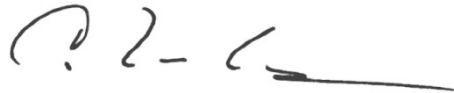
are not immediately appealable, as collateral orders or under any other exception to the finality rule. The court declines to treat this appeal as a petition for writ of mandamus.

Mr. Springer may seek review of the district court's interlocutory orders if and when he appeals from the district court's final decision in his § 2255 proceeding.

This appeal is dismissed for lack of jurisdiction.

APPEAL DISMISSED.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in black ink, appearing to read 'Christine Van Coney', with a long horizontal line extending to the right.

by: Christine Van Coney
Counsel to the Clerk

**UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT
OFFICE OF THE CLERK**

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Denver, Colorado 80257
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Elisabeth A. Shumaker
Clerk of Court

June 20, 2013

Douglas E. Cressler
Chief Deputy Clerk

Lindsey K. Springer
FCI - Big Spring
1900 Simler Avenue
Big Spring, TX 79720
02580-063

RE: 13-5062, United States v. Springer
Dist/Ag docket: 4:13-CV-00145-SPF-TLW, 4:09-CR-00043-SPF-1

Dear Appellant:

Enclosed please find an order issued today by the court.

Please contact this office if you have questions.

Sincerely,



Elisabeth A. Shumaker
Clerk of the Court

cc: Jeffrey Andrew Gallant
Charles Anthony O'Reilly

EAS/bv